

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE: BEHR DAYTON THERMAL : Case No. 3:08-cv-326
PRODUCTS, LLC LITIGATION : JUDGE WALTER HERBERT RICE

ORDER

As discussed with counsel during the Conference Call held on March 5, 2012, the Court has concluded that the putative class members in *Martin v. Behr Dayton Thermal Products LLC*, 3:08-cv-326, are entitled to notice that the personal injury claims have been voluntarily dismissed from the above-captioned case, and that they have the right to pursue those claims in a separate action.

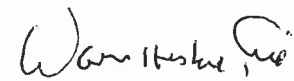
The Court has approved the method of distribution suggested by counsel for the *Martin* Plaintiffs: (1) individual letters to all *Martin* putative class members whose addresses are readily available; (2) dissemination of information through the community action group "Be Vocal;" and (3) posting of information on the website maintained by counsel for the *Martin* Plaintiffs.

As to the content of that notice, counsel for the *Martin* Plaintiffs shall draft and file a proposed notice. Other parties shall have seven business days to file objections to the proposed notice. Once the Court issues an Order approving the form of the notice, counsel for the *Martin* Plaintiffs will then have 30 days to

distribute that notice as set forth above.

In addition, as discussed during the Conference Call, counsel shall have until April 16, 2012, to file a Joint Revised Proposed Case Management Order. A Conference Call to discuss that Order will be held on April 18, 2012, at 5:00 p.m. In the meantime, the parties may proceed with discovery on the class certification issues.

Date: March 6, 2012



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record